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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,039	01/22/2002	Toshiaki Nagashima	00684.003314	7628

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EXAMINER

BEATTY, ROBERT B

ART UNIT	PAPER NUMBER
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2852

DATE MAILED: 07/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/051,039

Applicant(s)

NAGASHIMA ET AL.

Examiner

Robert Beatty

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2002 and 06 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

1. The disclosure is objected to because of the following informalities: on page 2, line 17, "steal" is incorrect; on page 8, line 27, "property!kp" is not understood; on page 15-16, "actuate" should be changed to -- arcuate -- in many instances.

Appropriate correction is required.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagashima (JP#04-155363) in view of Fujiwara et al. '957

Nagashima teach a developer (toner) supply container 1 having a main body 10 with an opening in which the toner can be dispensed, and a seal 22 which covers the opening and is adhered to projected ribs 10a of the toner container. A tear tape 12 is adhered to the seal and extended therefrom so that the tearing of the seal can be performed easier. The adhered portions have rectilinearly inclined portions 22b (Fig.4) at the tear starting side of the end of the seal or the adhered portions have a concave portion 22b (Fig.3) at the tear starting side. Specifically, Nagashima teach everything claimed except the toner supply container being used in a process cartridge of an image forming device and the adhered portions of the seal are welded with a laser.

Fujiwara et al. teach an image forming apparatus comprising a process cartridge B (Fig.17) which includes a developing portion 10 and a toner accommodating portion (toner supply container) 12a for accommodating the toner and feeding the toner to the developing portion. As shown in Fig.3, the toner container has an opening 12a1 which is sealed by a seal 17. The seal is adhered by laser welding (col.5, line 62 – col.6, line 5). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the toner container in Nagashima in a process cartridge as shown in Fujiwara et al. because process cartridges are well known to increase the operability of an image forming apparatus since the operator can do self-maintenance by just replacing the process cartridge. Further, it would have been obvious to one of ordinary skill to use a laser to weld the seal around the opening of the toner container because the laser can adhere the seal around the opening while allowing for the seal to be smoothly pulled off as taught in Fujiwara et al.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chadani et al., De Kesel, Fujiwara et al. '131, Nagashima, and Fujiwara (JP'536) all teach seal member adhered to toner containers.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Beatty whose telephone number is 703-308-1372. The examiner can normally be reached on M-F from 9 to 6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur Grimley, can be reached on (703) 308-1373. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9318 (before final) and 703-872-9319 (after final).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.



Robert Beatty
Primary Examiner
Art Unit 2852

June 26, 2003